

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the La Derma vagiseptic discs contained salt, alum, starch, milk, sugar, and talc; the Bick's sextone pills consisted of two products—chocolate-colored pills containing a small amount of extract of plant drugs, 50 per cent of sugar, 25 per cent of calcium carbonate, 7 per cent of iron oxid, and 7 per cent of powdered talc, and orange-colored tablets containing 31 per cent of metallic iron, 11 per cent of calcium carbonate, extract of nux vomica, and sugar; the Arthur's sextone tablets contained iron oxid, calcium carbonate, a compound of zinc, and extract of plant drugs, coated with sugar; the Bick's nerve tonic consisted of two products—brown tablets containing phosphorus and compounds of zinc and iron, coated with sugar and calcium carbonate, and yellow pellets containing compounds of iron, strychnine, and phosphorus, coated with sugar and calcium carbonate; the Bick's sarsaparilla compound contained less than 1 per cent of sodium salicylate, 0.7 per cent of potassium iodid, extracts of plant drugs, including sarsaparilla and a laxative drug, sugar, alcohol, and water; the Bick's Daisy 99 consisted of tablets containing iron sulphate, methylene blue, and material derived from plants including cubebs, copaiba, santalwood, and starch, coated with sugar and calcium carbonate; the Thomas' emmenagogue pills, the Arthur's emmenagogue pills, and the Leslie's emmenagogue pills contained iron sulphate, aloes, and extract of plant drugs, coated with sugar and calcium carbonate, colored pink.

Misbranding of the articles was alleged in substance in the libels for the reason that the packages or labels bore statements regarding the curative and therapeutic effects of the said articles which were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed. Misbranding was alleged with respect to the Bick's sarsaparilla compound for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein since the quantity stated was not correct.

On February 3, 1923, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11333. Misbranding of O. S. hog remedy. U. S. v. 110 Cases of O. S. Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15075. I. S. No. 4500-t. S. No. C-3080.)

On or about June 28, 1921, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 110 cases of O. S. hog remedy at Lufkin, Tex., alleging that the article had been shipped by the Meyer Bros. Drug Co., St. Louis, Mo., June 18, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium sulphate, sulphur, sodium chlorid, compounds of arsenic and antimony, zinc phenolsulphonate, zinc sulphate, and plant material.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect of the said article, appearing on the carton containing the same, “* * * a treatment for Cholera, worms of many kinds, lice, scab mites and many other parasites * * * If Cholera is Near feed Twice a week * * * O. S. Hog Remedy * * * A Guaranteed treatment for hog cholera if used regularly according to directions on package, also destroys worms, lice, scab mites and many other kinds of parasites,” were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 3, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11334. Adulteration and misbranding of canned tomatoes. U. S. v. 200 Cases and 50 Cases of Canned Tomatoes. Consent decrees entered providing for release of product under bond. (F. & D. Nos. 15482, 15511. I. S. Nos. 9312-t, 9316-t. S. Nos. E-3607, E-3625.)

On October 19 and 31, 1921, respectively, the United States attorney for the Southern District of Georgia, acting upon reports by the Secretary of Agri-

culture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 250 cases of canned tomatoes, remaining unsold in the original packages at Savannah, Ga., alleging that the article had been shipped from Baltimore, Md., September 2, 1921, and transported from the State of Maryland into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Fox' * * * Brand" (or "Compass Brand") "Tomatoes * * * Packed by D. E. Foote & Co. Inc. Baltimore, Md."

Adulteration of the article was alleged in substance in the libels for the reason that added purée, pulp and juice from skins and cores of tomatoes, and water had been mixed and packed with and substituted in part for tomatoes. Adulteration was alleged for the further reason that the article was mixed and packed in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the statements, "Fox' * * * Brand Tomatoes" or "Compass Brand Tomatoes," as the case might be, together with the design of a red tomato, appearing on the said labels, were false and misleading and deceived and misled the purchaser for the reason that the contents of the said cans was not made up solely of the article represented by said label, but the said article had mixed therewith purée, pulp and the juice from skins and cores of tomatoes, and water. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of an article other than that contained in the said cans, that is the contents of the said cans was offered for sale as tomatoes, and not as tomatoes mixed with other substances.

On December 10, 1921, D. E. Foote & Co., Inc., Baltimore, Md., claimant, having filed an answer admitting the allegations of the libel and praying the release of the product to be relabeled under the supervision of this department, judgments of the court were entered ordering that the said product be released to the claimant upon the execution of bonds in the aggregate sum of \$647.90, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11335. Adulteration and misbranding of grape concentrate. U. S. v. Tropical Fruit Juice Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 16207. I. S. No. 4894-t.)

On January 2, 1923, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tropical Fruit Juice Co., a corporation, Chicago, Ill. alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 16, 1921, from the State of Illinois into the State of Michigan, of a quantity of grape concentrate which was adulterated and misbranded. The article was labeled in part: "Non-Intoxicating Free From Preservatives * * * Grape Smash Flavored Concentrate Acidulated and Artificially Colored * * * From Tropical Fruit Juice Co. * * * Chicago."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was essentially a mixture of sugar sirup and tartaric acid, flavored with methyl anthranilate and artificially colored with a coal-tar dye, amaranth.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, an imitation grape concentrate, had been substituted in whole or in part for grape-smash-flavored concentrate derived from grapes which the said article purported to be. Adulteration was alleged for the further reason that it was an article inferior to genuine grape concentrate, to wit, an imitation grape concentrate, and was colored in a manner whereby its inferiority was concealed with a certain coal-tar dye, to wit, amaranth, so as to simulate the appearance of genuine grape concentrate.

Misbranding was alleged for the reason that the statements, to wit, "Grape Smash Flavored Concentrate" and "The Flavor Is Derived From Grapes," together with the design and device of a cluster of grapes, borne on the labels attached to the kegs containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article was genuine grape-smash-flavored concentrate, an article derived from grapes, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was grape-smash-flavored concentrate, an